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FROM:

Attorney: Willem F. Gadiano, Esq. Direct Phone: 202-756-8373
Attorney's E-Mail: wgadiano@mwe.com
Secretary: Diana M. Davis Direct Phone: 202-756-8604
Client/Matter/Tkpr: 45112-077/3329 Date: November 12, 2002 Time Sent: _____
Number of pages including this page: 9

TO:

Name: Assistant Commissioner for Patents 703-872-9307
c/o EXR. MICHELE FLOOD Facsimile No. (TC1600 Office RightFax)
U.S. Patent and Trademark Office
Company: (Group 1651) Contact No. 703-308-9432

COMMENTS:

Attached for filing in Application No. 09/604,083 (BOX RCE) are:

- 1) Request for Continued Examination Transmittal
- 2) Amendment After Final Rejection

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WDC99 680910-1.045112.0077

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document (including any paper referred to as being attached or enclosed) is being sent to the U.S. Patent and Trademark Office via facsimile transmission to (703) 872-9307 (TC1600 Office RightFax) on the date indicated below, with a coversheet addressed to Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C., 20231.

Date:

November 12, 2002

By:

Willem F. Gadiano, Registration No. 37,136

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/604,083
Filing Date	June 27, 2000
First Named Inventor	Steven M. BESSETTE
Group Art Unit	1651
Examiner Name	M. Flood
Attorney Docket Number	45112-077

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

NOTE: 37 C.F.R. § is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a HCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply to Office Action dated December 10, 2001
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

2. Miscellaneous

- a. ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 500417.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$370.00
- ii. ☒ Small Entity Four Month Extension of Time Fee (37 C.F.R. §§ 1.136 and 1.17) \$720.00
- iii. ☐ Other

U.S. Application No. 09/604,083
Attorney Docket No. 045112-0077

Additional Claims Fees:

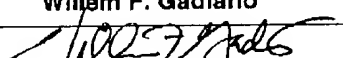
Total Claims Filed 23 - 20 = 3 X 9 = \$ 0.00

5 Independent Claims X 42 = \$ 0.00

Total Additional Claims Fees **\$ 0.00**

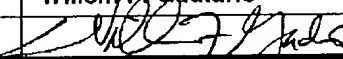
- b. ☐ Check in the amount of \$__ enclosed
c. ☐ Payment by credit card (Form PTO-2039 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	William F. Gadiano	Registration No. (Attorney/Agent)	37,136
Signature		Date	November 12, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Parents, Box RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office (TC1600 Office RightFax) on November 12, 2002:

Name (Print/Type)	William F. Gadiano	Date	November 12, 2002
Signature			

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Date: November 12, 2002

By: [Signature]
William F. Gadiano, Registrar No. 37,136

Attorney Docket No.: 045112-0077

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Steven M. BESSETTE)	
)	Group Art Unit: 1651
Serial No.: 09/604,083)	
)	Examiner: M. Flood
Filed: June 27, 2000)	
)	
For: PESTICIDAL COMPOSITIONS)	
CONTAINING PLANT ESSENTIAL OILS)	
AGAINST MITES)	

AMENDMENT AFTER FINAL REJECTION

Honorable Assistant Commissioner for Patents
BOX RCE
Washington, DC 20231

Dear Sir:

In response to the final Office Action mailed December 10, 2001, kindly amend the above-captioned application, as set forth below:

IN THE CLAIMS

Please cancel Claims 9 through 11, without prejudice to, or disclaimer of, the subject matter they contain.

Please amend Claims 1, 2 and 8, as follow:

WDC99 494779-1.045112.0077